

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:96-CR-30-2-F1

UNITED STATES OF AMERICA)
)
v.) ORDER
MICHAEL DENNIS OLDS,)
Defendant.)

The Clerk of Court is DIRECTED to schedule this matter for hearing during the court's **December 3, 2012**, term of court pursuant to the mandate of the Fourth Circuit Court of Appeals [DE-151] on remand from the United States Supreme Court in light of Tapia v. United States, 131 S. Ct. 2382 (2011). See Olds v. United States, 132 S. Ct. 452 (2011), vacating and remanding, 420 Fed. App'x 260 (4th Cir. 2011).

It further is ORDERED that the Federal Public Defender shall appoint counsel to represent Olds with regard to these proceedings on remand. Olds' Motion to Appoint Counsel [DE-148] is DENIED as moot.¹

SO ORDERED.

This the 1st day of October, 2012.



JAMES C. FOX
Senior United States District Judge

¹ Counsel who was appointed to investigate Olds' eligibility for a reduction of his sentence pursuant to the retroactive "18:1" crack amendment was permitted to withdraw by order [DE-147] of December 19, 2011, upon counsel's determination that the facts and the law did not support a motion for relief on those grounds. See [DE-146].